## IN THE SUPREME COURT OF THE STATE OF DELAWARE

TYRONE BAXTER,	§	
	§	No. 266, 2010
Defendant Below,	§	
Appellant,	§	
	§	
v.	§	
	§	Court Below:
	§	Superior Court of the
STATE OF DELAWARE,	§	State of Delaware, in and
	§	for Kent County
	§	
Plaintiff Below,	§	Cr. I.D. No. 0007009787
Appellee.	§	

Submitted: September 15, 2010 Decided: September 16, 2010

Before STEELE, Chief Justice, HOLLAND and BERGER, Justices.

## ORDER

This 16<sup>th</sup> day of September 2010, the Court, having considered this matter on the briefs of the parties, and having concluded that this denial of a motion for post-conviction relief should be affirmed on the basis of and for the reasons assigned by the Superior Court in its decision of March 31, 2010, accepting the Commissioner's August 6, 2009 Report and recommendation;

## NOW, THEREFORE, IT IS HEREBY ORDERED that the judgment of the Superior Court be, and the same hereby is, AFFIRMED.

BY THE COURT:

/s/ Carolyn Berger Justice